**MEMBERSHIP COMPLAINTS AND APPEALS PROCEDURE**

**(BYE LAW SEVEN OF MMUNION CONSTITUTION)**

**1. INTRODUCTION**

The Union is committed to providing high quality services and facilities to its Members. It is recognised that from time to time problems may occur and that provision is made for complaints to be made and any problems addressed to the students satisfaction.

The Union undertakes to take seriously any complaint that is made, and to deal with all complaints speedily and sympathetically. No student shall be disadvantaged by having made a complaint. The Union also expects that Members will not make frivolous or erroneous complaints.

This document is intended to provide a framework on how such complaints shall be dealt with by the Union.

This procedure available to any Member who:

a. is dissatisfied in his or her dealings with the Union, or

b. claims to be unfairly disadvantaged by reason of exercising the right to opt out of Union Membership.

The Union shall also adopt a Customer Care Policy that will provide an informal mechanism for resolving complaints on a day to day basis.

**2. FORMAL COMPLAINTS PROCEDURE**

2.1. Preamble

Where the complaint cannot be resolved informally, or the nature of the complaint is serious, this formal procedure may be invoked.

A Member shall have the right to seek such advice as may be necessary to assist in making a complaint, and shall be entitled to be accompanied at any meetings that may be called in accordance with this procedure.

2.2. Making a Complaint

2.2.1. Complaints shall be in writing by way of:

a. a standard form which shall be provided for this purpose;

or

b. personal letter.

2.2.2. Complaints may be made about:

a. the services and facilities of the Union; or

b. an individual or group within the Union.

2.2.3. Complaints shall be addressed to:

a. the Chief Executive, who may delegate responsibility for dealing with the matter to an appropriate person, or

b. the President, but only when the complaint is about the Chief Executive or an elected officer or representative of the Students’ Union.

2.2.4. Complaints shall be considered valid if the complainant:

a. provides details of name, address and contact telephone number (if any);

b. provides details of the event or occurrence which gave rise to the complaint;

c. raises the complaint within 10 working days of the event or occurrence giving grounds for complaint, unless in exceptional circumstances.

2.3. Investigation of Complaints

All valid complaints shall normally be investigated within 10 working days of receipt, according to the following procedures:

2.3.1. investigations shall be conducted by the Chief Executive, except where it shall be a complaint about the Chief Executive or an elected officer or representative of the Union, where the President shall conduct the investigation;

2.3.2. complaints about the President shall in the first instance be addressed to the Chief Executive, and investigated by a nominee of the Trustee Board;

2.3.3. no person involved in the investigation of any complaint shall have a direct or vested interest in the outcome of the same;

2.3.4. all parties to the complaint shall be given an opportunity to state their case and present evidence of mitigating circumstances;

2.3.5. all parties to the complaint may be assisted by a representative or friend, without charge or cost to the Union;

2.3.6. any investigations concerning staff of the Students’ Union shall be carried out in accordance with the policies and procedures of the Students’ Union.

2.4. Outcome of an Investigation

The outcome of an investigation shall be determined after all parties to the complaint have presented their case and any supporting evidence.

The person(s) conducting the investigation shall determine:

a. all findings of fact, and

b. any mitigating circumstances, and

c. appropriate further action, if any.

2.5. Complaints which are not Upheld

Where complaints are not upheld, they shall be deemed unsubstantiated complaints, and the following procedure shall apply:

2.5.1. all parties to the complaint shall be advised in writing within 5 (five) working days; and

2.5.2. all parties to the complaint shall be informed of their rights of appeal.

2.6. Complaints which are Upheld

Where complaints are upheld, they shall be deemed justified complaints, and the person(s) conducting the investigation shall proceed to consider whether the complaint is principally directed at:

a. a service or facility, or

b. a person or group.

2.7. Justified Complaints against a Service or Facility

In the event of a justified complaint against a service or facility, the following procedure shall apply:

2.7.1. the person(s) conducting the investigation shall consider how to prevent any future instances of the event or occurrence that gave rise to the complaint;

2.7.2. an appropriate course of remedial action shall be recommended;

2.7.3. all parties to the complaint shall be advised of both the outcome of the complaint and the proposed remedial action within 5 (five) working days.

2.8. Justified Complaints against a Person or Group

In the event of a justified complaint against a person or group, the following procedure shall apply:

2.8.1. the person(s) conducting the investigation shall consider whether a breach of the Union’s policies or procedures may have occurred;

2.8.2. an appropriate disciplinary sanction may be imposed in accordance with the agreed policies and procedures of the Union;

2.8.3. the complainant shall not have the right to demand that any specific penalty be imposed;

2.8.4. the complainant shall be advised in writing within 5 (five) working days that the complaint has been upheld;

2.8.5. the complainant may be advised that the Union is to consider further action, but may not be advised specifically of the nature of that action;

2.8.6. the person or group against whom the complaint was made shall be advised of the outcome of the investigation, and of any disciplinary sanction to be applied, within 5 (five) working days;

2.8.7. where a disciplinary sanction is to be applied, the person or group against whom the complaint was made shall also be notified of any rights of appeal.

**3. DISCIPLINE**

Appropriate disciplinary remedies shall be determined in accordance with the provisions of the Articles and these Bye Laws; by the operational policies and procedures of the Union or the University Board of Governors.

**4. APPEALS**

4.1. Rights of Appeal

In the event of there still being a complaint against a Service or Facility and/ or a Person or Group, the following procedure shall apply:

4.1.1. the right of appeal shall be exercised within 21 (twenty-one) days of the outcome of the investigation;

4.1.2. notification of an intention to appeal shall be made in writing to the person(s) who conducted the investigation;

4.1.3. the grounds of appeal shall be stated within the written notification;

4.1.4. such an appeal shall be to the Complaints, Discipline and Appeals Committee convened by the Board of Trustees for this purpose.

4.2. Making an Appeal

Appeals shall be considered valid if the complainant is either a Full Member or an Opted Out Student as detailed in the Articles:

a. has demonstrated that the complaint was not dealt with in accordance with the provision of the Articles or Bye Laws or any operational policies or procedures of the Students’ Union; or

b. has demonstrated that some other material irregularity has occurred.

Appeals brought on the basis that the complainant does not agree with the decision made by the original investigator shall not be considered.

4.3. Conduct of Appeals

4.3.1. Appeals shall normally be investigated within 28 days of receipt.

4.3.2. The Chief Executive shall inform the complainant of the arrangements for considering the appeal, and shall be invited to attend an appeals meeting of the Complaints,

Appeals and Discipline Committee.

4.3.3. The person originally responsible for investigating the complaint shall also be invited to attend a meeting of the Complaints, Discipline and Appeals Committee.

4.3.4. After considering all the evidence the Complaints Discipline and Appeals Committee shall consider whether to uphold the appeal and that the complaint is justified, and what, if any, further action is required.

4.3.5. The Chief Executive shall inform the Complainant in writing of the outcome of the Appeal and of her/his Final right of appeal to the University.

**5. FINAL RIGHT OF APPEAL**

5.1. Such an appeal shall be made in writing to the Vice Chancellor (or nominee) within 28 (twenty eight) days of the appeal decision being communicated .

This will be dealt with in accordance with the University Students’ Complaint Procedure.

**6. REPRESENTATION RIGHTS**

A complainant shall be entitled to representation at each stage of this procedure provided that this is at no cost or charge to the Union.

A complainant, except for Opted -Out students, may seek advice from the Union’s advice service provided that there shall be no conflict of interest.

Manchester Metropolitan Students' Union

# **CUSTOMER COMPLAINTS FORM**

**This form should be used if :**

* *you are dissatisfied about the standard of service you get have received from Manchester Metropolitan Students' Union; OR*
* *we failed to do something we agreed to do; OR*
* *you are unhappy about the way you were treated by an employee of the Students’ Union.*

## Your Details

Name:

Address:

Course:

Contact Telephone number:

E.mail address:

## Your Complaint

*Please tell us about your complaint:*

*Please tell us what outcome you would like from making this complaint:*

## Keeping track of your complaint

*To help follow the progress of your complaint please provide the following information:*

Date you first complained:

Who did you complain to:

Date you received a response:

*Please ask the Receptionist if you would like a copy of this form before you hand it in.*

### MAKING A COMPLAINT

Manchester Metropolitan Students' Union is committed to providing the highest standards of customer care ti its members and customers. We recognise, however, that we can sometimes get it wrong. When we do we want to hear about and to try and put it right.

1. **HOW DO I COMPLAIN?**
   1. You can complain directly to the manager of the service area concerned. They will investigate your complaint and let you know how they can put it right.
   2. You can also complain to a member of the Executive Committee who can take it up on your behalf with the relevant senior manager
   3. You can make a formal complaint that will be investigated by the Chief Executive. You should use this form if you wish to make a formal complaint, or if you have complained before and you do not feel that it has been dealt with satisfactorily.
2. **WHAT WILL HAPPEN TO MY COMPLAINT?**
   1. All complaints will be treated seriously and in the strictest confidence. You will not be treated differently or unfair because you have complained.
   2. Official complaints using the complaints form will be investigated by the Chief Executive.
   3. You will receive an acknowledgement of you complaint within 5 working days.
   4. We will try and resolve your complaint and write to you within 15 workings days, or if it will take longer, write and tell you why.
3. **WHAT HAPPENS IF I AM STILL NOT SATISFIED?**
   1. Your complaint will then be considered by the Executive Committee, or a sub Committee appointed for the purposes of hearing your complaint.
   2. You can also complain to the University if you feel that the Students’ Union has treated you unfairly. Any complaints should be made to:

The University Secretary

Manchester Metropolitan University

All Saints

Manchester M15 6BH